THE HON'BLE SRI JUSTICE P.S.NARAYANA

Writ Petition No.10575 of 2006

DATED: 01-10-2007.

Between:

M/s Gulfarosh Agencies, rep. by
its Proprietor G. Nadeemulla.

.. PETITIONER

And

The Joint Collector, Ananthapur
Town and District and others.

.. RESPONDENTS

THE HON'BLE SRI JUSTICE P.S.NARAYANA

Writ Petition No.10575 of 2006

ORDER:

This writ petition is filed for a writ of Certiorari to call for the

records relating to the order of the 1st respondent, dated 12.05.2006, in Rc.No.K2(3)/577/2004, and to set aside the same as arbitrary and illegal; and for a consequential direction to the 1st respondent to issue a show cause notice, give an opportunity to the petitioner and then pass appropriate orders in accordance with law.

2. Several facts had been narrated in paragraphs 2 to 8 of the affidavit filed in support of the writ petition.

3. It appears, the dealer was present for hearing on 18.12.2004 and it was recorded in the impugned order that the version of the dealer was heard on 18.12.2004. The impugned order, in Rc.No.K2(3)/577/2004, was passed on 12.05.2006. Without expressing any opinion relating to the merits and demerits of the matter, making a decision after a long lapse of time after hearing may not be justified.

4. In the light of the same, the impugned order is hereby set aside and the matter is remanded to the 1st respondent to decide the same afresh in accordance with law. It is needless to say that the parties to be put on notice.

5. With the above direction, the writ petition is disposed of. No order as to costs.

P.S. NARAYANA, J

1st October, 2007.
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